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NO. \_\_\_\_\_

LEAF TRADING CARDS, LLC,

Plaintiff,

V.

DALLAS COUNTY, TEXAS

KEVIN ISAACSON, individually and d/b/a The Industry Summit,
ISAACSON CONSULTING GROUP, LLC, sindividually and d/b/a The Industry Summit, sand JOHN DOES 1-10,

Defendants.

IN THE DISTRICT COURT

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DALLAS COUNTY, TEXAS

S

JUDICIAL DISTRICT

## PLAINTIFF'S ORIGINAL PETITION AND APPLICATON FOR INJUNCTIVE RELIEF

Plaintiff Leaf Trading Cards, LLC ("Leaf"), complaining of Defendant Kevin Isaacson ("Isaacson"), individually and doing business as The Industry Summit, Defendant Isaacson Consulting Group, LLC ("ICG"), individually and doing business as The Industry Summit, and John Does 1-10, avers as follows:

## DISCOVERY LEVEL

Leaf alleges that discovery in this cause should be conducted under Tex. R. Civ. P. 190.2 as a "Level 2" case.

#### **INJUNCTIVE RELIEF REQUESTED**

This lawsuit seeks, in part, an injunction to require Defendants Isaacson and ICG (collectively the "Summit Defendants") to abide by their contract with Leaf and permit Leaf to be an exhibitor, attendee, and participant at "The Industry Summit," a March 16-19, 2014 industry trade show for the trading card and collectibles business. Accordingly, Leaf requests a temporary injunction hearing at the earliest convenient

date and no later than February 16, 2014. Leaf reserves its right to seek a temporary restraining order if necessary for a timely ruling on the issues in this matter.

#### INTRODUCTION

The Summit Defendants have breached their contract with Leaf and wrongfully excluded Leaf, a leading trading card manufacturer, from "The Industry Summit" (the "Summit"), the annual trade show for trading card and collectibles manufacturers, suppliers, and retailers. The 2014 Summit is scheduled for March 16-19, 2014 in Las Vegas, Nevada. Leaf and the Summit Defendants entered into a registration contract for Leaf to be an exhibitor, attendee, and participant at the 2014 Summit. Leaf paid, and the Summit Defendants accepted, almost \$10,000 for the Leaf's registration fees for the Summit. The Summit Defendants breached the registration contract with Leaf and have banned Leaf from attending, participating, or exhibiting at the Summit. Upon information and belief, one or more of John Does 1-10 influenced, threatened, induced, or directed the Summit Defendants to breach Leaf's registration contract for the Summit and exclude Leaf from the Summit.

#### **PARTIES**

- 1. Plaintiff Leaf is a Texas limited liability company with its principal place of business in Dallas County, Texas.
- 2. Defendant Isaacson is an individual resident of the State of Wisconsin residing at W9254 Amber Lane, Clintonville, Wisconsin 54929-9154. Upon information and belief, Isaacson does business as "The Industry Summit." Isaacson, at all times material to this action, has engaged in business in Texas, as more particularly described below. Issacson does not maintain a place of regular business in Texas and

has no designated agent on whom service of citation may be made in this action. The causes of action asserted herein arose from or are connected with purposeful acts of Isaacson in the State of Texas, including (i) use of an interactive website by which persons in Texas can obtain information from Isaacson and enter into a contract with Isaacson, (ii) soliciting online registration contracts for the Summit, (iii) inviting persons in Texas to enter into registration contracts with Isaacson to attend the Summit, and (iv) entering into registration contracts with Texas residents, including Leaf, to attend, participate at, and exhibit at the Summit. Isaacson's breach of its contract with Leaf is the basis of Leaf's causes of action herein. Accordingly, Isaacson may be cited by serving the Secretary of State of Texas, 1019 Brazos Street, Austin, Texas 78701, as Defendant Isaacson's designated agent for service, provided that the citation and petition are forwarded to Kevin Isaacson, W9254 Amber Lane, Clintonville, Wisconsin 54929, by certified mail, return receipt requested.

3. Defendant ICG is a limited liability company formed under the laws of the State of Wisconsin with its principal office located at W9254 Amber Lane, Clintonville, Wisconsin 54929-9154. Upon information and belief, ICG does business as "The Industry Summit." ICG is a nonresident of Texas who does not maintain a place of residence or regular business in Texas and has no designated agent in Texas on whom service of citation may be made in this action. ICG, at all times material to this action, has engaged in business in Texas, as more particularly described below. ICG does not maintain a place of regular business in Texas and has no designated agent on whom service of citation may be made in this action. The causes of action asserted herein arose from or are connected with purposeful acts of ICG in the State of Texas, including

- (i) ICG's use of interactive website by which persons in Texas can obtain information from ICG and enter into a contract with Isaacson, (ii) soliciting online registration contracts for the Summit, (iii) inviting persons in Texas to enter into registration contracts with ICG to attend the Summit, and (iv) entering into registration contracts with Texas residents, including Leaf, to attend, participate at, and exhibit at the Summit. ICG's breach of its contract with Leaf is the basis of Leaf's causes of action herein. Accordingly, ICG may be cited by serving the Secretary of State of Texas, 1019 Brazos Street, Austin, Texas 78701, as Defendant ICG's designated agent for service, provided that the citation and petition are forwarded to ICG's registered agent, Kevin Isaacson, W9254 Amber Lane, Clintonville, Wisconsin 54929, by certified mail, return receipt requested.
- 4. Defendants Isaacson and ICG are collectively referred to as the "Summit Defendants."
- 5. The names and residences of Defendants John Does 1-10 are currently unknown.

### **VENUE**

6. Venue of this cause is proper in Dallas County, Texas pursuant to Tex. Civ. Prac. & Rem. Code §§ 15.001-15.002.

### BACKGROUND FACTS

## Leaf's Business and Products

7. Leaf began operations in 2010 and is a leading manufacturer of sports and entertainment trading cards and collectibles. Further information about Leaf and its products is available at <a href="https://www.leaftradingcards.com">www.leaftradingcards.com</a>.

8. Leaf markets and sells its products to distributors and retailers of trading cards and collectibles who then resell Leaf's products to individual buyers and collectors. Leaf does not directly sell its products as a retailer and does not have an online store on its website.

#### The Industry Summit

- 9. The Summit began in 2010 as an annual conference for industry professionals in the trading card and collectibles business. Complete information about the Summit can be found at the Summit's website, <a href="www.theindustrysummit.com">www.theindustrysummit.com</a>. A copy of the home page for the Summit website is attached hereto as Exhibit "1" and incorporated herein by reference.
- 10. Leaf paid registration fees to the Summit Defendants for Leaf to attend and have exhibitor space at the first four Summits in 2010-2013. The Summit website lists Leaf among the industry professionals who attended the 2013 Summit. A copy of that portion of the Summit website is attached hereto as Exhibit "2" and incorporated herein by reference.
- 11. In addition, Leaf's President and CEO, Brian Gray ("Gray"), has been a panelist and presenter at prior Summits. Gray was a featured presenter at the 2013 Summit and Isaacson introduced Gray to that audience as "without question, one of the most innovative, creative, and … fun people in this business."
- 12. The Summit website promotes registration for the 2014 Summit by touting the size, relevance, importance, and value of the event:

The 5<sup>th</sup> annual Summit, set March 16-19 at The Orleans Hotel & Casino, will feature engagement from more than 500 leading retailers, distributors, manufacturers, licensors, and service providers — unquestionably the largest industry gathering of its kind.

"The Summit brings our industry's best and brightest together for four days of discussion, debate and business development," Summit host Kevin Isaacson said. "It has truly become a 'can't miss' event for anyone invested in the trading card and sports collectible business."

A copy of that portion of the Summit website is attached hereto as Exhibit "3" and incorporated herein by reference.

- 13. The Summit website also highlights featured events at the 2014 Summit, including:
  - A. Sneak peeks at new products from manufacturers
  - B. Opportunities to engage with league officials and player association contacts from major professional sports
  - C. Sales-focused interaction with more than 400 key buyers, distributors, and retailers from across the United States and Canada
  - D. A Summit "Tech Academy" relating to online marketing and commerce

#### See Exhibit "3."

14. The Summit website highlights that a number of Leaf's major competitors (e.g., Topps, Panini, Upper Deck) will be corporate partners and exhibitors at the 2014 Summit. A copy of that portion of the Summit website is attached hereto as Exhibit "4" and incorporated herein by reference.

### Leaf's Registration Contract with ICG for the 2014 Summit

15. The Summit website offers interactive online registration for the 2014 Summit. Several pages on the Summit website include a bright green "Register Now!" button, which provides a link to the 2014 Summit's online registration form. A copy of

the online registration form is attached hereto as Exhibit "5" and incorporated herein by reference.

16. On December 19, 2013, Leaf accepted the offer on the Summit website to register for, exhibit at, and attend the 2014 Summit. Leaf registered and purchased three (3) "Corporate Booth Packages" for the 2014 Summit. The registration and payment were processed via a link on the Summit's website. That same morning, Leaf received an e-mail stating in part:

## "Thank you for registering."

"Brian, you are confirmed for: 2014 Industry Summit"

"Registration Number: 63374668"

## "We look forward to seeing you at the event."

A copy of the Summit Defendants' acceptance e-mail and confirmation is attached hereto as Exhibit "6" and incorporated herein by reference.

- 17. Leaf paid \$9,832.57 for its registration of three Corporate Booth Packages for the 2014 Summit (registration fee of \$9,587.85 and a service fee of \$244.72). A copy of the receipt for Leaf's payment is attached hereto as Exhibit "7" and incorporated herein by reference.
- 18. Later on December 19, 2013, Isaacson informed Leaf's CEO and President, Brian Gray, via e-mail that Leaf's registration contract for the 2014 Summit was "declined" and Leaf's credit card would not be charged. Isaacson thanked Gray for Leaf's commitment to the 2010-2013 Industry Summits and asked Gray and Leaf "to take a year's sabbatical from the Summit." A copy of the December 19 e-mail is attached hereto as Exhibit "8" and incorporated herein by reference.

19. Contrary to Isaacson's e-mail language, Leaf's credit card was charged \$9,832.57. See Exhibit "7."

## Harm Suffered by Leaf

20. The Summit Defendants' breach of Leaf's registration contract for the 2014 Summit will cause Leaf significant monetary damage and irreparable harm. The 2014 Summit is the only industry conference in the trading card industry until the 2015 Summit. Leaf's absence will be patently obvious to its competitors, customers, and other industry professionals. The damage to Leaf's reputation and standing in the trading card and collectibles industries will be significant and immeasurable.

### Leaf's Demand Letter to ICG

- 21. On January 3, 2014, Leaf's attorney sent to the Summit Defendants' attorney a demand letter (the "Leaf Letter") outlining the facts of the registration contract, the Summit Defendants' breach of the registration contract, and the irreparable damage to Leaf. A copy of the Leaf Letter is attached hereto as Exhibit "9" and incorporated herein by reference.
- 22. The Leaf Letter included a demand that the Summit Defendants abide by the parties' registration contract and permit Leaf to be an exhibitor and full participant at the 2014 Summit with all rights of an exhibitor and registrant, including the attendance and participation at the 2014 Summit by all of Leaf's paid registrants for the Summit.
- 23. Neither the Summit Defendants' attorney nor the Summit Defendants responded to the Leaf Letter by the January 7, 2014 deadline.
- 24. Neither the Summit Defendants' attorney nor the Summit Defendants have responded to the Leaf Letter as of the filing of this Petition.

#### COUNT ONE

#### BREACH OF CONTRACT - SPECIFIC PERFORMANCE

- 25. Leaf incorporates by reference the allegations of Paragraphs 1 through 24.
- 26. Money damages for the Summit Defendants' breach of the registration contract for the 2014 Summit would be an inadequate remedy because of the unique nature of the contract, i.e., the contractual right to exhibit at, attend, and participate at the Summit Defendants' 4-day event from March 16-19, 2014. The only adequate remedy for the Summit Defendants' breach of contract would be to order the Summit Defendants to specifically perform the parties' contract by allowing Leaf to exercise all of its rights under the registration contract to exhibit at, attend, and participate at the 2014 Summit.
- 27. Leaf has performed all terms and conditions of the parties' registration contract (i.e., full payment of the registration fees). There are no remaining obligations for Leaf to perform under the registration contract.
- 28. The Summit Defendants should be ordered by this Court to specifically perform the registration contract with Leaf.

#### **COUNT TWO**

#### **INJUNCTIVE RELIEF**

- 29. Leaf incorporates by reference the allegations of Paragraphs 1 through 28.
- 30. Leaf requests an Order enjoining the Summit Defendants from refusing to honor the parties' registration contract. Specifically, Leaf requests an order requiring

the Summit Defendants to abide by the terms of the registration contract, including allowing Leaf (and its registered representatives) to exhibit at, attend, and participate at the Summit pursuant to the registration contract with the same rights and responsibilities of other registrants for the 2014 Summit.

#### **COUNT THREE**

## **TORTIOUS INTERFERENCE AND CONSPIRACY**

- 31. Leaf incorporates by reference the allegations of Paragraphs 1 through 30.
- 32. Upon information and belief, one or more parties identified as John Does 1-10 willfully and intentionally induced ICG to breach and violate the provisions of Leaf's registration contract for the 2014 Summit.
- 33. The wrongful interference and inducement by one or more parties identified as John Does 1-10 resulted in Defendants harming Leaf by excluding Leaf from the 2014 Summit despite the registration contract between Leaf and ICG.
- 34. The Summit Defendants and one or more parties identified as John Does 1-10 conspired by concerted action to cause the breach of Leaf's registration contract for the 2014 Summit and that resulted in harm to Leaf.
- 35. The Summit Defendants and one or more parties identified as John Does 1-10 acted with malicious intent in their conspiracy by concerted action to cause the breach of the registration contract between Leaf and ICG that resulted in the harm to Leaf. Such actions were taken out of spite and ill will toward Leaf and for the sole purpose of causing economic injury to Leaf, entitling Leaf to actual and exemplary damages.

#### **COUNT FOUR**

### **ATTORNEY'S FEES**

- 36. Leaf incorporates by reference the allegations of Paragraphs 1 through 35.
- 37. Leaf is entitled to recover from Defendants all reasonable attorneys' fees through the trial and all appeals of this action.

### **CONDITIONS PRECEDENT**

38. All conditions precedent to Leaf's recovery under all counts herein have occurred, or been performed or waived.

WHEREFORE, PREMISES CONSIDERED, Leaf prays that Defendants answer herein, and that upon final hearing, this Court award to Leaf the relief requested herein, together with attorney's fees, costs of court, and such other and further relief, at law and in equity, to which Leaf may show itself justly entitled.

Respectfully submitted,

/s/ O. Luke Davis, III
O. Luke Davis, III
State Bar No. 05532700
oldavis3@gpm-law.com

GLAST, PHILLIPS & MURRAY, P.C. 14801 Quorum Drive, Suite 500 Dallas, Texas 75254-1449 (972) 419-8300 (972) 419-8329 (FAX)

ATTORNEYS FOR PLAINTIFF

## <u>VERIFICATION</u>

STATE OF TEXAS

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**COUNTY OF DALLAS** 

BEFORE ME, the undersigned authority, on this day personally appeared Brian Gray, who upon his oath deposed and stated that he is CEO and President of Plaintiff in the foregoing action, he has personal knowledge of the statements of fact contained in paragraphs 7-20 of the foregoing Petition, and all such statements of fact are true and correct.

Brian Gray, CEO and President of Leaf Trading Cards, LLC

SUBSCRIBED and sworn to before me, the undersigned authority, on the

14 day of January, 2014.

[seal]



NOTARY PUBLIC in and for

The State of Texas

## EXHIBIT "1"

## 16-19 | March | 2014

Schedule

Corporate Partners

20 Tips for Attendees

Who's Attending

Summit Blog

Lodging



The industry's official licensed sports card and collectible trade conference returns for its 5th year on March 16-19, 2014 – join us in Las Vegas!

### Why Should You Attend?

Our mission: Drive sales in the sports card and collectible industry through seller development and networking!

Who attends? Meet with the very best retailers, suppliers and manufacturers across the U.S. and Canada. Share your ideas, promotions and programs. Learn in person from the industry's "best and brightest."

Great value: Attendees give the Summit a rating of "excellent" in terms of service, communication and value. Early-bird retailer registration is just \$349!

Contact us now!

Click the button below to register through our secure system. To pay with check or money order, email icgsports@charter.net.

Register ( today!

Register Now!

#### What They're Saying:

"The mood of your attendees was incredibly positive. The event should be considered a mainstay in our industry, for many years." -- Mike Berkus, co-founder and executive director, National Sports Collectors Convention.

"We were definitely pleasantly exhausted at the end of the Summit. My husband, who has been to dozens of conferences

through the years, was impressed with the organization and amount of content." -- Beth Feagans, store owner, Warrenton, VA

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## EXHIBIT "2"

## 16-19 | March | 2014

Home

Schedule

Name:

Corporate Partners

Bernzweig, Seymour

Polsen, Scott

Swanke, Scott

Okazaki, Glen

Chong, Gerald

Deane, Jeff

Picchi, Emil

Wojcik, John

Mudra, Jerry

Wrate, Steve

Hannah, Will

Dabnor, Jenn

Hagerman, Kevin

Lester, Andrew

Tararbra, Davide Yeatts, Matt

Rodgers, John

Pangan, Jay

Rubin, Donna

Rubin, Mark

Yount, Don

Morton, Thomas

Aronson, Steve

Alley, Pat

Shigezawa, Bryan

Farnsworth, James

Farnsworth, Jason

Hodgson, Emily

20 Tips for Attendees

Who's Attending

Summit Blog

Lodging



## These industry professionals attended our March 2013 event:

Company: A&S Sports AB Sports Action Cards & Collectibles AJTK Sportscards AJTK Sportscards Alhambra Sportscards All C's All C's All Sports Marketing All Sports Marketing All Sports Marketing All Sports Marketing All Star Cards All Star Cards All Star Sports Cards All Things Collectible Amazon.com Amazon.com Amazon.com Amazon.com Amazon.com Amazon.com American Benchmark American Legends American Legends Americana Trading Post AZ Sports Cards & Collectibles

Baseball Cards & Movie Collectibles Bayou State Sportscards BB Card Galaxee BB Card Galaxee **BCW BCW** Beckett Media

Beckett Media

Beckett Media

Beckett Media

Baseball Card Company

Baseball Cards & Memorabilia Woods, Matt Schwartz, Scott Autin, Jaimie Fata, Arlene Fata, Mike Brownell, Eric O'Brien, Ken Anderson, Elizabeth Anderson, Mark

Dumas, Bill

Hitt, Dan

Company: M&M Associates Mack's Card Shack Mad Al Distributors Mad Al Distributors Magazine Exchange Magazine Exchange Magazine Exchange

Major League Baseball Major League Baseball Mancini Cards Maple Leaf Sports Markman Sports Matt's Sports Cards Maverick Sports & Collectables Max Protection

> Midwest Breaks Mike's Stadium Sports MLBPA ML8PA Mojo Break

Mosaiq Research Mosaig Research Mosaiq Research MVP Sportscards MVP Sportscards

Mojo Break

Mojo Break

NBA Properties Never Enough Cards NFL

NFL Properties

NFLPA NFLPA NHL Enterprises NHL Enterprises NHL Enterprises NHL Players Association OC Sports Cards Oliver Sports Cards

Oliver Sports Cards

Name:

Dillon, Mark Mack, Curt Ramuglia, Randy Tye, Brenda Barry, Alissa Barry, Roger Wrlght, Dawn Napolitano, Mike Posner, Michael Mancini, Alex Pawlyk, Darren Channing, Mark DeGraw, Jeff

Corbett, Andrew

Kwan, Patrick Hlebechuk, Michael Fruitman, Mike Kaplan, Evan Zickter, Paul Anderson, Dan Caskey, Doug Johnson, TJ Bluhm, Melody Halperin, Greg Van Santen, Lori Neumann, Debbie Neumann, Greg Goldberg, Lisa Stellato, Lisa Quaglierini, Pete Langley, Tim Austin, Karen McDonald, Ryan Jennings, Brian Kallas, Jennifer McCarthy, Dave Larry, Adam Kirkland, Lance Gardenhire, William Hernandez, Steven



Oliver, Leanne Oliver Sports Cards Beckett Media Kaplan, Traci Oliver, Vince Oliver Sports Cards Beckett Media Lulgjuraj, Susan Omni Cards & Comics Wool, Scott Murray, Jeromy Beckett Media OneBadBeast24 Kauffman, Joe Sutherland, Bill Beckett Media Fischer, Lance Yoder, Tim Onyx Authenticated Beckett Media Benchwarmer Trading Cards Gonzalez, Fred Wallos, Brian Onyx Authenticated Beverly Hills Baseball Cards Federgreen, Matt Onyx Authenticated Krow, Joe Onyx Authenticated Krow, Noah Big League Cards Burgert, Brian Big League Cards Burgert, Michelle Onyx Authenticated Samaniego, Michelle Blg League Cards Narz, Alan Orlando Sports Cards Loyd, Kendall Storrs, Heidl Big Nick's Cards Heinle, Nick Overtime Cards Bayne, Brian Panini America Big Nick's Cards Heinle, Sandy Cheung, Karvin Feagans, Beth Panini America BJ's Book Store Panini America Feagans, James Ecklar, Ben BJ's Book Store Hackler, Tracy Bleacher Seats Collectibles Delaney, Brandy Panini America Howarth, Jason Bleacher Seats Collectibles Prock, Chris Panini America Blowout Cards A Fantastic Panini America Kazmierczak, D.J. Fish, Thomas Panini America Payne, Mike Porter, David Burbank Sportscards Veres, Rob Panini America Panini America Warsop, Mark California Card Shark Lambert, Greg Pastime Sports & Games Cabrera, Natasha California Card Shark Lee, Gordon Paul, Corey Grakat, Zach Pastime Sports & Games California Sports Cards Pastime Sports & Games Richardson, Ken Card Stadium Hoffman, Ken Cracknell, Ryan Peach State Grant, Jim Cardboard Connection Peach State Greenblatt, Paul Cardboard Connection Smeth, Mike Smith, Sam Peach State Miller, Ashlee Cardboard Connection Cardboard Connection Forum Leong, Kerwin Peach State Sanchez, Sito Cardboard Connection Radio Bertrand, Rob Peninsula Sports Cards Grenier, Terrence Phoenix Card Co-op Sheppard, Greg Cardboard Connection Radio Cataldo, Doug Pick 6 Sports Cards Gasper, Tom Cardboard Connection Radio Cohen, Russ Pick 6 Sports Cards Provenzano, John Cardiacs Sports & Cannon, Jonny Pittsburgh Sports/Steel City Memorabilia Bennett, Sean Collectibles Cardiacs Sports & Dudley, Jay Memorabilia Pittsburgh Sports/Steel City Geary, Russ CardShopFinder.com Metz, Tom Collectibles Central Missouri Sportscards Chrisco, Larry Players Choice Sports Draginda, Dean 5mith, Chad Players Choice Sports Wobshall, Jason Chad Smith's Cards Check-Swing Sportscards Ingram, Trevor Players Comics & Cards Farmer, Adam Chuck's Field of Dreams Raborn, Chuck PR Sports Collectibles Norman, Darby PR Sports Collectibles & Chucks Sports Cards Plus Colbert, Chuck Alberty, Pete CJ Sports Cards Bettls, Carol Creations PR Sports Collectibles & CI Sports Cards Bettis, John Alberty, Rhodora Connolly, Geoff Creations Cloutsnchara Inc. Cloutsnchara Inc. Krysko, Brad Prep 2 Pro Sports Schnoor, Mike Collectors Den Dancer, Andrew Press Boxx Moore, Mike Hambright, Andrew Press Pass Camp, Kevin Collectors Den Columbia Sports Cards & Press Pass Farrell, Tom Tingwall, Steve Press Pass O'Neil, Kevin More Getsch, Julla Price's Sports Cards COMC Price, Jeff Prince Wholesalers Dayani, Kim COMC Getsch, Tim COMC Holland, Geoff Pro-Mold Neugebauer Jr., Ed COMC Kassam, Sam Prospect Rush Inc. Dziarski, Peter Anderson, Miranda Prospect Rush Inc. Sherrer, Will Cryptozoic Entertainment Cryptozoic Entertainment Gaeta, Scott PSA Low, Kevin Cryptozoic Entertainment Sepenuk, John PSA Single, Scott **PSA** Gallela, Anthony Sloan, Steve CrystalCommerce CrystalCommerce Rainout Sportscards Sandstrom, John McCarty, Dan D&P Sports Cards Seibel, Chris Redmans Dugout Edmonds, Chris Dakota Gaming Wrangham, Kelly Redmans Dugout Edmonds, Sheila Dakota Gamino Wrangham, Melissa Republic Collectibles Ames, Chrissy Dan's Sports Cards & Games McCormick, JJ Republic Collectibles Cunliffe II, Dan Dan's Sports Cards & Games Williams, Dan Rich's Sports Cards Buhnerkemper, Rich

Rip Kings LTD

Dave and Adam's Card World Blest, Pat

Crisci, Tom

Dave and Adam's Card World Martin, Adam Dave and Adam's Card World Silver, Dave Dave and Adam's Card World Waczkowski, Mike DCS Sportscards DCS Sportscards Desert Sky Games Diamond Cards Diamond Cards Diamond Legends Diamond Legends Diamond Sportscards Diecast Toys & More DI's Collectibles Doc D's Trading Cards DuqoutZone Eastridge Hobbies Eastridge Hobbies Eastridge Hobbles eBav **ESPN ESPN Evolution Sports Marketing** Excell Marketing Famous Fabrics Fanatics Mounted Memories Father & Son Card Galaxy FCB Sportscards, Comics & Games FCB Sportscards, Comics & Games Finnigan Sports Firehand Sportscards Firehand Sportscards Firehand Sportscards Firehand Sportscards Framing Life Franklin Sports Cards Franklin Sports Cards Franklin Sports Cards Frivolous Selts Frozen Pond Inc. **Funtime Sports Cards Funtime Sports Cards Galaxy Stores** Galaxy Stores Game Keeper Verdun Gamebreakers Sportscards Games & Cards **GnT Sportscards** Gold River Distributor's Inc. Gold River Distributor's Inc. Goldin Auctions Got Baseball Cards.com Great American Distribution Great American Distribution Greenspun Media Group Grosnor Distribution Ajax Inc. Roche, Rob Grosnor Distribution Inc. Grosnor Distribution Inc. GTS Distribution GTS Distribution

Santillo, Carol Santillo, Dominic Girard, Michael Hasting, Amy Hasting, Shawn Block, Robert Parenti, Joe Michener, Robert Henderson, Brad Wowk, Raymond Hershkowitz, Steve Hubata, Rick Davis, Mike Forrester, Douglas Forrester, Ken Delzer, Cara Schroyer, Kelsey Steele, Michele Williams, Stu Whitmire, Nate Hurst, Dan Shaffer, Victor Logel, Brian Gilmore, Chris

Mashburn, Terry Finnigan, Jeff Minera, Erica Minera, Irving Pelis, Kealani Redfern, Chad Lum, Ray Franklin, Millie Franklin, Randall Franklin, Steve Dovine, Anthony Borenstein, Hersh Hopper, Tom Johnson, Cecil Chou, Jeff Chou, Laura Bongiovanni, Mauro Tan, Hans-Lee Soghomonian, Art Dale, Mike Cagle, Wes Guisande, David Cavaller, Chris Davis, Joe Bauman, Brian Bauman, Karen Gray, Steven Yeates, David Yee, Grea

Blumenson, Mike

Carabio, Chris

Chandler, Dan

Fallon, Joe

Rip Kings LTD Rookies 2 Legends rvanscardz Scott's Collectibles Showtime Cards Showtime Sportscards Sidney's Sportscards Sidney's Sportscards Soccer Partners Soccer Partners South Bay Cards Southern Hobby Southern Hobby Southern Hobby Southern Hobby Sports Card Connection Sports Card Connection Sports Card Radio Sports Cards N More Sports Cards Planet Sports Cards Planet Sports Cards Plus Sports Center Cards Sports Center Cards Sports Dome Sports Dome Sports Dome Sports Images Sports Source Sports Source II Sports Treasures SPORTSCARDS AND MORE SportsManiac SportsManiac Staten Island Sportscards Steve's Sportscards STL Sports Cards STL Sports Cards Strictly Singles Sports Superstars Sports Superstars Sports Swag Cards Sweet Deal Sweet Deal Sweet Oral T & R SPORTSCARDS Tacoma Sports Cards Talkin Basebatt Taylors BB Cards The Baseball Card Shop The Bull Pen 2.0 The Dugout The Hobby Box

the hockey connection

Skripsky, Matt Caudill, Ed Grother, Rvan Haas, Scott Mares, George Llu, Peter Elliott, Anne Elliott, Patrick Gran, Gene Wallis, Mark Allen, Scott Austin, Chris Chaffardet, Irv Laugherty, Dustin Wagoner, Brad Dalker, Donovan Wacker, Dan Tedards, Ryan Rivas, Michael Morris, Donovan Morris, Trisha DiPietro, Charlie Miller, Scott Ninete, Ryan Maalouf, Joe Maalouf, Peter Maalouf, Vera Blasco, John Capuano, John Carlisle, Amy Conklin, Blake Each, Joseph Grant, Mike Jones, Bob McKay, Darvi Williams, Matt Desantis, Robert Ant, Mike Barkley, Eddle Bindra, Rana Wright, Carl Wright, Mike Sterling, Danielle Peters, Steve Hodges, Melissa Hodges, Michael Dean, Mike Franklin, Al Franklin, Kyle Cook, Matt Bronson, David Murphy, Ray Rasmussen, John Imel, Tiny Putz, Ara Brison, Ken Taylor, lan Falany, Curtis Guttenberg, Mitch Rollar, Rick Justice, Chris Naiman, Daniel Frazer, Wayne

GTS Distribution

GTS Distribution

CTC Distribution	Cinan Mari	The IcoPay Carde 8	
GTS Distribution	Glaza, Mark	The IceBox Cards & Collectibles	
GTS Distribution	Kee, Lloyd	The Marianal Coasts Colleges	rn
GTS Distribution	Miller, Scott	The National Sports Collecto	<sup>18</sup> Berkus, Mike
GTS Distribution	Ng, Sam		
GTS Distribution	Sitz, Randy	The National Sports Collecto	<sup>rs</sup> Broggi, John
GTS Distribution	Snyder, Steve	CONVENTION	
Gulf Coast Cards	Helms, Matt	The Simmons Firm	Lesko, Paul
GV Sports Cards	Valeriano, George	The Topps Company	King, Rachelle
Hall of Fame Baseball Cards	Reeser, Eric	The Topps Company	Kruep, Doug
Hall of Fame Baseball Cards	Zertuche, Matt	The Topps Company	Leiner, David
Heroes Cards, Comics &	Montano, Jacob	The Topps Company	Luraschi, Clay
Games	Moritano, Jacob	The Topps Company	Nielsen, Lee
Heroes Sports Cards	Glesin, Ron	The Topps Company	Reel, David
Heroes Sports Cards	Whitbeck, Bridgette	The Topps Company	Sapir, Mark
Hooper's Sports Cards	Ewing, Bob	Three Stars Sportscards	McKinnon, Dan
Hooper's Sports Cards	Ewing, Stefanie	TNT Sportscards	Straka, Ted
Hot Corner/ MVP	Peterson, Bill	Trader J's Card and Comics	Au, Tony
Hot Corner/ MVP	Peterson, Sandra	Trader J's Cards	Changmine, Cynthia
in The Game/Sportkings	Levine, Allan	Trader J's Cards	Jang, Jim
In The Game/Sportkings	Price, Brian	Trader J's Cards & Comics	Lim, Galen
J and K Stuff	Caryl, Jesse	TRISTAR PRODUCTIONS	Goldstein, Doug
J and K Stuff	Caryl, Karyn	TRISTAR PRODUCTIONS	Jenkins, Dane
	, . ,		•
Jamey's Clubhouse	Berzon, Barbara	TRISTAR PRODUCTIONS	Mabra, Janyce
JB Sports	Berzon, Jeff	TRISTAR PRODUCTIONS	Mintz, Bobby
Jerry's Rookie Shop	McClusky, Jerry	TRISTAR PRODUCTIONS	Rosenberg, Jeff
Jerry's Rookie Shop	McClusky, Shelly	Ultimate Box Breaks	Gavin, Bryan
Jim & Steve's	Makino, Robert	Ultimate Sports Cards &	Hill, Anthony
Jim & Steve's	Wilson, Steve	Collectibles	( Itti / tirtilotty
John's Grand Slam Collectible	sPohorsky, John	Ultimate Sports Cards &	Kollarik, Erik
K&L Cards	Miller, Jan	Collectibles	ROCCATIN, CITE
K&L Cards	Scantland, Lenny	Ultimate Sportscards	Brown, Jeremy
KAB Sports Cards &	Drantor Kele	Ultimate Sportscards	Kinmartin, Sean
Collectables	Brester, Kris	Ultimate Sportscards	Vandorick, Rob
KAB Sports Cards &	Malaka I. da	Ultra Pro International	Cole, Justin
Collectables	Webb, Janice	Ultra Pro International	Kuo, Jason
KennFudd Sports Cards	Kennemer, Jason	Ultra Pro International	La Placa, Lynne
KennFudd Sports Cards	Shaffer, Bill	Uncommon Sports Cards	Huemmer, Rich
Kenny's Collectibles of Austin		Uncommon Sports Cards	Huemmer, Terry
KKP	Kistler, Kurt	Universal Distribution	Divolis, Eva
Kryptonite Kollectibles	Lyne, Gil	Universal Distribution	Exarhakos, Angelo
Laborde's Baseball	Laborde, Cecil	Universal Distribution	
Laborde's Baseball		Universal Distribution	Lea, Oliver
	Laborde, Delores		Magee, Jaimie
Lakeland Sports Cards	Gagllone, John	Untouchables	Balsara, Anita
Lakeland Sports Cards	Gaglione, John C.	Untouchables	Balsara, Parvez
Layton Sports Cards	Layton, Rich	Untouchables	Degenaar, Robert
Layton Sports Cards	Layton, Sara	Upper Deck	Carlin, Chris
Leaf Trading Cards	Clemons, Joe	Upper Deck	Hatley, Dianne
Leaf Trading Cards	Gray, Brian	Upper Deck	Masherah, Jason
Leaf Trading Cards	Jordan, Scott	Upper Deck	Phillips, Mike
Lefty's Sports Cards	Bernardini, Jim	Upper Deck	Sandground, Grant
Lefty's Sports Cards	Catalano, Marc	Upper Deck	Shaunessy, Mark
Lefty's Sports Cards	Fender, Ryan	Upper Deck	Wasserman, Jodi
Legacy Sports Cards	Bilak, Marcel	Upper Deck	Zusman, Josh
Legends Sports & Games	Brown, Elleen	USA Baseball	Perkins, David
Legends Sports & Games	Brown, Lou	wax n packs	Delguidice, Joseph
Livecasebreak, LLC	Harmer, Timothy	Wayne's Sports Cards	Wagner, June
Livecasebreak, LLC	Song, Sung	Wayne's Sports Cards	Wagner, Nicole
LiveCaseBreak.com	Franco, Larry	Wayne's Sports Cards	Wagner, Wayne
LTD Sports	Jerome, David	Wayne's Sports Cards	Wagner, Wayne A.
LTD Sports	Monize, Scott	Wes' Baseball Cards	Johnson, Wes
Luckyterror Sportscards	Levine, David	West Allis Sportscards	Mills, Gary
Tachytonor oportucerus	-orang paria	West Coast Sports Cards	Clapper, Jason
		West Coast Sports Cards West Coast Sports Cards	
		mest coast sports cards	Han, Gene

West Corner Supplies WhatNot Collectibles Shop WhatNot Collectibles Shop www.mattsbaseball.com www.mattsbaseball.com Martinez, Nick Beauman, Melissa Wieman, Frank Quattrocchi, Andrea Wheeler, Matthew

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# EXHIBIT "3"

## 16-19 | March | 2014

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## Get ready! 2014 Summit is set March 16-19!

Posted by Kevin Isaacson on Wednesday, November 6, 2013 <u>Under: 2014 Summit</u> FORIMMEDIATE RELEASE

LAS VEGAS (Nov. 8, 2013) – Excitement is building throughout the trading card and collectible business for the 2014 industry Summit, the annual conference for industry professionals.

The 5th annual Summit, set March 16-19 at The Orleans Hotel & <u>Casino</u>  $^{C}$ , will feature engagement from more than 500 leading retailers, distributors, manufacturers, licensors and service providers – unquestionably the largest industry gathering of its kind.

"The Summit brings our industry's best and brightest together for four days of discussion, debate and business development," Summit host Kevin Isaacson said. "It has truly become a 'can't miss' event for anyone invested in the trading card and sports collectible business."

Among the Summit's featured events:

- Sneak peeks at dozens of new products from licensed trading card and collectible manufacturers.
- Ability to engage with key league and player association contacts, including MLB, MLBPA, NBA, NFL, NFLPA, NHL and NHLPA.
- Sales-focused interaction with more than 400 key buyers, including leading U.S. and Canada distributors and innovative retailers representing 40-plus states/provinces.
- Expanded for 2014: The Summit "Tech Academy", during which retailers and
  industry leaders will expand their sales via social media, email marketing (5),
  online auction and e-commerce. Last year's event featured key presentations
  from eBay, COMC, Amazon, Beckett Media and Constant Contact.

"You will learn so much, and hear so many great ideas, that it is impossible to implement it all right away," said Rick Rollar, a leading retailer based in Pigeon Forge, TN.

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EXHIBIT

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## Early-bird registration is available now through Jan. 15 at www.theindustrysummit.com

In: 2014 Summit

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Next post: Gold River to ...

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## EXHIBIT "4"

## 16-19 | March | 2014

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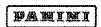






























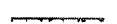












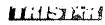




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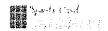








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## EXHIBIT "5"

**2014 Industry Summit**Sunday, March 16, 2014 12:00 PM - Wednesday, March 19, 2014 1:00 PM (Pacific Time)

## Orleans Hotel & Casino, Las Vegas

4500 Tropicana Blvd Las Vegas, Nevada 89103 United States 702-365-7111 Event Details

Email Us

View or Change Your Existing Registration

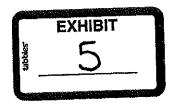
## **Start Your Registration**

* Email Address:	
Please select registration	

You can also register a group. Learn More

### Description

Our mission: Drive sales in the sports card and collectible industry through seller development and networking! Who attends? The very best retailers, suppliers and manufacturers across the U.S. and Canada. Share your ideas, promotions and programs. Learn in person from the industry's "best and brightest."



## EXHIBIT "6"

From: <events@regonline.com> Date: Thu, Dec 19, 2013 at 9:03 AM

To: Brian Gray < brian@leaftradingcards.com>

You are receiving this email because you registered for 2014 Industry Summit.

If you are having trouble viewing this email, try viewing it in a browser.

## 2014 Industry Summit Thank you for registering. When Brian, 3/16/2014 12:00 PM PDT -You are confirmed for: 3/19/2014 1:00 PM PDT 2014 Industry Summit Add to My Calendar Review your registration record or make any changes. Where Registration Number: 63374668 Orleans Hotel & Casino, Las Name: Brian Gray Vegas 2014 Industry Summit 702-365-7111 3/16/2014 12:00 PM PDT - 3/19/2014 1:00 PM PDT 4500 Tropicana Blvd For a map and directions to the event, click here. Las Vegas, Nevada 89103 Contact Information: Thanks. We look forward to seeing you at the event. **EXHIBIT**

## SHARE WITH FRIENDS

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## EXHIBIT "7"

## Receipt

Receipt Number: 1308102-63374668

Registration ID: 63374668
Registration Date: 12/19/2013
Receipt Date: 12/19/2013

Issued By: ICG dba The Industry Summit

Event: 2014 Industry Summit

Date/Time: Sunday, March 16, 2014 12:00 PM - Wednesday, March 19, 2014 1:00

PM (Pacific Time)

## Registrants

Name	Registration ID	Company/Organization	Туре
Brian Gray	63374668	Leaf Trading Cards	Corporate Booth Package
Scott Jordan	63374742	Leaf Trading Cards	Corporate Booth Package
Joe Clemons	63374768	Leaf Trading Cards	Corporate Booth Package

## **Billing Information**

Brian Gray 3330 Earhart Dr Ste 204 Carrollton, TX 75006 United States

## Personal Info

Brian Gray Leaf Trading Cards 3330 Earhart Dr Carrollton, TX 75006 214-519-1078 brian@leaftradingcards.com

#### Fees

Fee	Quantity	У	Unit Price	Amount
Fee		, <u>,</u>		
Corporate Home Base package		3	\$3,195.95	\$9,587.85
Subtotal:				\$9,587.85
Service Fee:				\$244.72
Total:				\$9,832.57

EXHIBIT 7

## Transactions

Transaction Type	Date	Amount	Balance
Transaction Amount	12/19/2013	\$9,587.85	\$9,587.85
Service Fee	12/19/2013	\$244.72	\$9,832.57
Online Credit Card Payment (*********7626) <u>Details</u>	12/19/2013	(\$9,832.57)	\$0.00
Online Credit Card Refund (*********7626) Details	12/20/2013	\$9,587.85	\$9,587.85
Other Credits	1/8/2014	(\$244.72)	\$9,343.13
Credit Due to Cancellation	1/8/2014	(\$9,587.85)	(\$244.72)
Current Balance:			(\$244.72)

## **Payment Method**

Payment Method: Credit Card (MasterCard)

The online credit card payment for this event will be listed on your credit card statement with the name ICG dba TheIndustrySummit.

## EXHIBIT "8"

From: Kevin Isaacson < ki@isaacsondirect.com >

Date: Thu, Dec 19, 2013 at 4:39 PM To: brian@leaftradingcards.com Cc: ki@isaacsondirect.com

Brian,

Thanks for your patience. I am back in the office and available to visit via phone if you would like.

In advance of our visit, please allow me to share my thoughts regarding Leaf & Summit 2014:

I sincerely appreciate your company's commitment to our 2010, '11, '12 and '13 events – I believe it was a mutually beneficial relationship until early Tuesday morning, 3-19-13. As I am sure you know, I was very disappointed in your 2013 podium presentation; I do not believe it served the Summit or our industry appropirately.

As a result, I am asking you and the Leaf company to take a year's sabbatical from the Summit.

I do not expect that you will like this decision, but I hope you will understand it. In kind, I will certainly understand if you choose to "cross-program" and create a Leaf Trading Cards invitation-only event somewhere in Las Vegas during the March 16-19 time period. For what it's worth, there are no Summit events planned on Monday night at this writing.



I noticed that you entered an online reservation request earlier today; I will decline those reservati	on requests
and your credit card won't be charged.	•

Please know that I have no interest in issuing any public statement or engaging in public discussion regarding this decision. I possess only the best wishes for you and your company, and the industry that we serve.

Sincerely,

Kevin Isaacson

## EXHIBIT "9"

## GLAST, PHILLIPS & MURRAY

A PROFESSIONAL CORPORATION

ATTORNEYS AND COUNSELORS

O. Luke Davis, III oldavis3@gpm-law.com 14801 QUDRUM DRIVE, SUITE 500 DALLAS, TX 75254-1449 DIRECT DIAL (972) 419-8300 DIRECT FAX (972) 419-8329

Houston (713) 237-3111

(972) 419-8303

January 3, 2014

Via fax: 414-276-6581

Via e-mail: Pete.Faust@wilaw.com

Peter J. Faust, Esq.
O'Neil Cannon Hollman DeJong
111 E. Wisconsin Ave.
Milwaukee, WI 53202

Re: Breach of Leaf Trading Cards, LLC's Registration Contract for the

2014 Industry Summit

Dear Mr. Faust:

I represent Leaf Trading Cards, LLC ("Leaf") with respect to Mr. Kevin Isaacson's breach of Leaf's registration contract for the 2014 Industry Summit (the "Summit"). Mr. Isaacson informed Messrs. Brian Gray and Scott Jordan of Leaf that any communication about this matter be directed to you.

On December 19, 2013, Leaf accepted the offer on Mr. Isaacson's Summit website to register for, exhibit at, and attend the Summit. Leaf registered and purchased three (3) "Corporate Booth Packages" at the Summit. The registration and payment were processed via a link on the Summit's website. That same morning, Leaf received a confirmation e-mail stating in part:

## "Thank you for registering."

"Brian, you are confirmed for: 2014 Industry Summit"

"Registration Number: 63374668"

"We look forward to seeing you at the event."

Leaf paid \$9,832.57 for its registration of three Corporate Booth Packages (registration fee of \$9,587.85 and a service fee of \$244.72). Leaf's invoice number for the \$9,832.57 payment is 1308102-63374668.



Peter J. Faust, Esq. January 3, 2014 Page 2

Later on December 19, 2013, Mr. Isaacson informed Mr. Gray that Leaf's reservation contract for the Summit was "declined" and Leaf's credit card would not be charged. Mr. Isaacson thanked Mr. Gray for Leaf's commitment to the 2010-2013 Industry Summits and asked Mr. Gray and Leaf "to take a year's sabbatical from the Summit."

Contrary to Mr. Isaacson's statement, Leaf's credit card <u>was</u> charged \$9,832.57. Leaf later received a refund of its \$9,587.85 registration fee but did not receive a refund of the \$244.72 service fee.

Mr. Isaacson's breach of Leaf's registration contract will cause Leaf significant monetary damage and irreparable harm. As you are aware, the Summit is the only industry conference in the trading card industry. Leaf's absence will be patently obvious to its competitors, customers, and other industry professionals. The damage to Leaf's reputation and standing in the trading card and memorabilia industries will be immeasurable.

In addition to Mr. Isaacson's breach of the registration contract, Leaf believes that one or more parties tortuously interfered with Leaf's attendance at the Summit, Leaf's registration contract, and Leaf's prospective business relationships with Summit attendees. Leaf is concerned that Mr. Isaacson's attempt to revoke Leaf's registration resulted from pressure placed on him by Leaf's competitors. Moreover, Leaf is concerned that this breach of Leaf's registration contract is part of a plan or conspiracy to drive Leaf out of the trading card market via anticompetitive practices, such as collusion, refusals to deal, exclusive dealings, and antitrust violations.

Leaf demands that Mr. Isaacson abides by the registration contract and permit Leaf to be an exhibitor and full participant at the Summit. Please respond to this letter in writing no later than 5:00 pm Central Time on Tuesday, January 7, 2014 and confirm that Leaf will be permitted to be an exhibitor at the Summit with full rights of an exhibitor and registrant, including the attendance and participation at the Summit by Messers. Brian Gray, Scott Jordan, and Joe Clemons who were each paid registrants for the Summit. Leaf is ready, willing, and able to again pay the registration fee for the three Corporate Booth Packages that it previously purchased on December 19. There should be no "service fee" for the registration because the \$244.72 fee previously paid by Leaf was never refunded.

I welcome the opportunity to discuss this matter at your convenience.

Peter J. Faust, Esq. January 3, 2014 Page 3

Sincerely,

GLAST PHILLIPS & MURRAY, P.C.

y: UVW CL

OLD/dme

cc: Mr. Brian Gray (via e-mail)



#### **FACSIMILE TRANSMISSION REPORT**

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07901.20

OFFICE TELEPHONE NO.: 414-279-4705 FAX TELEPHONE NO.:

SPECIAL INSTRUCTIONS

414-276-6581

FROM: 0. LUKE DAVIS

DATE: JANUARY 3, 2014

SENDER'S DIRECT DIAL TELEPHONE NO.: (972) 419-8303 NUMBER OF PAGES (INCLUDING COVER):

RE: Korin lesacion and Loaf Trading Cards, LLC

CINETIBENTIALITY MOTICIE. This ented and toy experiments are for the exability and a rectificated an artificial and the instance of the instan

ANY BYATENEWIN CONTAUND NEARIN ARS NOT ENTENDED OR WILLTEN BY THE WHITER YO WE USED. AND ROTHEND CONTAINED DEFRIES ARE RESED BY YOU OR ANY OTHER PERSON, YOU THE PLEASUR OF THE PLEASUR OF THE PLEASUR OF THE PROMOTIVE DEMONSTRANCE OF THE PROMOTIVE

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Luke Davis

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#### Luke Davis

From: Sent: Luke Davis [ODavis@gpm-law.com] Friday, January 03, 2014 3:10 PM Peter J. Faust (Pete.Faust@wilaw.com)

To: Subject:

Leaf Trading Cards, LLC and The Industry Summit [GPM-Interwoven.FID1485691]

Attachments:

2014 01 03 to Peter Faust PDF

Please see the attached letter that was also sent to you via fax transmission.

O. Luke Davis, III

GLAST, PHILLIPS & MURRAY, P.C.

14801 Quorum Dr., Suite 500 Dallas, TX 75254-1449 Telephone: 972.419.8303 Fax: 972.419.8329 oldavis3@gpm-law.com

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